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Attorneys for Defendant
Otto Trucking LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

Waymo LLC,

Plaintiff,

v.

Uber Technologies, Inc.; Ottomotto LLC; Otto
Trucking LLC,

Defendants.

Case No. 3:17-cv-00939-WHA

**DECLARATION OF HAYES P. HYDE IN
SUPPORT OF PLAINTIFF'S
ADMINISTRATIVE MOTION TO FILE
UNDER SEAL PORTIONS OF ITS
MOTION FOR ORDER TO SHOW CAUSE
WHY OTTO TRUCKING SHOULD NOT
BE HELD IN CONTEMPT OF THE
PRELIMINARY INJUNCTION ORDER
(DKT. 426) AND EXHIBITS 2, 3 AND 5
THERE TO [DKT. NO. 846]**

I, Hayes P. Hyde, declare as follows:

1. I am an attorney at the law firm of Goodwin Procter, LLP. I make this declaration based upon matters within my own personal knowledge and if called as a witness, I could and would competently testify to the matters set forth herein. I make this declaration in support of Plaintiff's Administrative Motion to File Under Seal Portions of Its Motion For Order to Show Cause Why Otto Trucking Should Not be Held in Contempt of the Preliminary Injunction Order (Dkt. 426) and Exhibits 2, 3 and 5 thereto [Dkt. No. 846].

2. I have reviewed the following documents and confirmed that only the portions identified below merit sealing:

Document	Portions to Be Filed Under Seal
Contempt Motion	Marked portions (in red boxes)
Exhibits 2, 3 and 5 to the Declaration of Patrick Schmidt	Entire Document

3. The marked portions (in red boxes) of the Contempt Motion include highly confidential, sensitive business information relating to the terms of Otto Trucking's agreements and corporate structure, that is not publicly known, and this information's confidentiality is strictly maintained. I understand that this information could be used by competitors to Otto Trucking's detriment, including in the context of negotiating business deals. If such information were made public, I understand Otto Trucking's competitive standing could be significantly harmed.

4. The entirety of Exhibit 2 contains references to highly confidential sensitive business information of Otto Trucking relating to terms of Otto Trucking's agreements and financial information, as well as information that may be highly confidential and sensitive related to co-defendants Uber and Ottomotto. This information is not publicly known, and its confidentiality is strictly maintained. I understand that this information could be used by competitors to Otto Trucking's detriment, including in the context of negotiating business deals. If such information were made public, I understand Otto Trucking's competitive standing could be significantly harmed.

5. The entirety of Exhibit 3 contains references to highly confidential sensitive

1 business information of Otto Trucking relating to terms of Otto Trucking's agreements and
2 financial information , as well as information that may be highly confidential and sensitive related
3 to co-defendants Uber and Ottomotto. This information is not publicly known, and its
4 confidentiality is strictly maintained. I understand that this information could be used by
5 competitors to Otto Trucking's detriment, including in the context of negotiating business deals. If
6 such information were made public, I understand Otto Trucking's competitive standing could be
7 significantly harmed.

8 6. The entirety of Exhibit 5 contains references to highly confidential sensitive
9 business information of Otto Trucking relating to terms of Otto Trucking's agreements and
10 financial information . This information is not publicly known, and its confidentiality is strictly
11 maintained. I understand that this information could be used by competitors to Otto Trucking's
12 detriment, including in the context of negotiating business deals. If such information were made
13 public, I understand Otto Trucking's competitive standing could be significantly harmed.

14 7. Defendant's request to seal is narrowly tailored to those portions of the Plaintiff's
15 Motion and its supporting papers that merit sealing.

16 I declare under penalty of perjury under the laws of the United States that the foregoing is
17 true and correct. Executed this 14th day of July, 2017 in San Francisco, California.

18
19 /s/ Hayes P. Hyde
Hayes P. Hyde

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the United States District Court for the Northern District of California by using the CM/ECF system on July 14, 2017. I further certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

I certify under penalty of perjury that the foregoing is true and correct. Executed this 14th day of July 2017.

/s/ Hayes P. Hyde
Hayes P. Hyde